

REMARKS

Reconsideration is requested.

Allowance of claims 16-17 and 21-26 is acknowledged, with appreciation.

Claims 16-17, 21-26 and 30 are pending. Upon entry of the present Amendment, claims 16-17 and 21-26 will be pending. Claims 1-15, 18-20, 27-42 have been canceled, without prejudice. Claim 30 has been canceled above to obviate the provisional obviousness-type double patenting rejection of claims 40-41, 43, 45 and 63 in the copending application Serial No. 10/321,798.

Cancellation of claim 30 above also obviates the Rule 75(c) objection of claim 30 and the provisional obviousness-type double patenting rejection of claim 30 in the present application. Entry of the present Amendment will therefore reduce these issues for appeal and entry of the Amendment is requested.

The present Amendment will also obviate the Section 112, first paragraph, rejection of claim 30. The applicants respectfully submit however that the rejection is unfounded in view of, for example, the disclosure of Example 12, on page 75, lines 30-31 of the present disclosure ("Together with the Core and E2 antigen becoming undetectable in the liver, the inflammation of the liver markedly decreased (see also Table 3 of WO99/67285)"). As noted above, claim 30 has been canceled to advance prosecution by obviating provisional obviousness-type double patenting rejections, without necessarily agreeing with the basis for the provisional rejections.

Entry of the present Amendment and a Notice of Allowance are requested.

The Examiner is requested to contact the undersigned in the event anything further is required.

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Respectfully submitted,

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